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TO AMEMBASSY TOKYO IMMEDIATE 6412

UNCLAS STATE 113639

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E.O. 12958: N/A

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SUBJECT: DIPLOMATIC NOTE REGARDING JAPAN'S CONTINENTAL
SHELF

REF: TOKYO 2836

¶1. Embassy Tokyo is requested to deliver a note verbale to the Ministry of Foreign Affairs of Japan using the text in Paragraph 2.

¶2. Begin text:

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs and has the honor to acknowledge receipt of the Ministry's Note Verbale No. 3938/E-O dated October 9, 2008, which reads as follows: "The Ministry of Foreign Affairs presents its compliments to the Embassy of the United States of America and has the honor to refer to the recent discussions concerning continental shelf and wishes to confirm that the Government of Japan recognizes the following:

¶1. There are two areas of potential overlap between Japan's continental shelf beyond 200 nautical miles and the United States of America's continental shelf beyond 200 nautical miles.

¶2. The Government of Japan plans to make a submission of information to the Commission on the Limits of the Continental Shelf (the Commission), pursuant to Article 76 and Annex II of the United Nations Convention on the Law of the Sea. In that submission, the Government of Japan intends to include information related to potential continental shelf that extends beyond 200 nautical miles from Haha Shima Islands and from Minami-Tori Shima Island, hereinafter "Area A," and from Minami-Io To Island, hereinafter "Area B."

¶3. For its part, the Government of the United States of America confirms that it will not object to the Government of Japan's submission of information related to potential continental shelf that extends beyond 200 nautical miles in Area A and in Area B.

¶4. For its part, the Government of Japan intends to consult with the Government of the United States of America promptly in the event that the Commission makes recommendations to the Government of Japan related to its submission in connection with Areas A and B. The Government of Japan confirms that the establishment of the outer limits of its continental shelf in Areas A and B is without prejudice to the question of the delimitation of the continental shelf beyond 200 nautical miles between Japan and the United States of America.

¶5. The Government of Japan also intends to provide to the Government of the United States of America the Commission's recommendations related to Areas A and B, and the portions of Japan's submission related to Areas A and B, in advance of or during consultations referred to in paragraph 4.

The Ministry of Foreign Affairs would appreciate a Note Verbale in response confirming that the Government of the United States of America recognizes the foregoing."

The Embassy has the honor to confirm that the Government of the United States of America recognizes the foregoing.

The Embassy avails itself of the opportunity to renew to the Foreign Ministry the assurance of its highest consideration.
End text.

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